

DIVORCE STATISTICS 1958.

South Australia:

Bulletin No. 5 of 1959.

In this bulletin particulars are given of writs issued and orders granted for divorce, judicial separation, annulment of marriage and restitution of conjugal rights during the year 1958, with comparative data for previous years. Particulars are shown also of divorces made absolute during 1958 classified according to grounds for divorce and sex of the petitioner, classified by ages of husbands and wives at marriage, by duration of marriage and issue, and by age at the time of divorce.

Writs Issued and Orders Granted

Writs issued during 1958 were:-

For divorce	791
judicial separation	nil
nullity of marriage	5
restitution of conjugal rights	1

Orders made during the year were:-

For divorce nisi	537
divorce absolute	483
judicial separation	5
nullity of marriage	9
restitution of conjugal rights	1

The following table compares particulars of writs issued and orders granted during 1958 with those of the preceding seven years:-

TABLE 1. WRITS ISSUED AND ORDERS GRANTED, SINCE 1951.

Particulars	YEARS							
	1951	1952	1953	1954	1955	1956	1957	1958
WRITS								
Divorce	812	805	921	832	824	754	767	791
Judicial Separation	-	2	1	1	-	1	-	-
Nullity of Marriage	-	5	2	6	9	15	11	5
Total	812	812	924	839	833	770	778	796
ORDERS								
Divorce - Nisi	608	596	634	654	516	613	482	537
Absolute	637	581	628	594	624	567	529	483
Judicial Separation	1	1	2	2	-	2	1	5
Nullity of Marriage	4	3	8	4	4	5	8	9
RESTITUTION OF CONJUGAL RIGHTS								
Writs	-	-	-	-	1	-	-	1
Orders	-	-	-	-	-	1	-	1

The annual number of writs issued reached a record high level in 1953 when 924 writs were issued. In the next three years the numbers declined slightly but in 1957 and 1958 a slight upward movement has again become apparent. The great majority of writs issued have been for divorce. Writs for judicial separation and nullity of marriage issued over the last eight years have totalled only 5 and 53 respectively, while there have been only two writs in that time for restitution of conjugal rights.

The annual number of divorces absolute reached a peak in 1947 when 695 orders were granted. However, it should be noted that a rise or fall in the number of writs issued during a year does not necessarily result in a similar movement in divorces absolute in that year, because (a) the number of actions awaiting trial at the end of each year varies considerably and (b) decrees nisi cannot be made absolute for at least six months.

In Table 2A, divorces absolute and annulments of marriage are classified according to grounds.

TABLE 2A. DIVORCES ABSOLUTE AND ANNULMENTS OF MARRIAGE CLASSIFIED BY GROUNDS

Grounds for Divorce or Nullity	Year							
	1951	1952	1953	1954	1955	1956	1957	1958
DIVORCES ABSOLUTE								
Adultery	234	230	240	216	238	208	190	203
Desertion	311	252	264	248	251	239	206	184
Habitual Cruelty	74	86	107	113	113	103	111	82
Insanity	6	1	3	4	4	-	3	1
Drunkenness	9	8	10	6	9	11	9	4
Failure to Maintain	2	4	3	3	6	3	2	1
Other	1	-	1	4	3	3	8	8
Total	637	581	628	594	624	567	529	483
ANNULMENTS OF MARRIAGE								
Impotence	3	2	4	4	1	1	5	6
Bigamy	1	1	2	-	2	2	2	2
Invalid Marriage	-	-	2	-	1	2	1	1

In the immediate post-war period adultery was the main ground for divorce (of the 1,953 divorces absolute granted in the three years 1945 to 1947, 1,197 were for adultery compared with only 585 for desertion and 101 for habitual cruelty). Subsequently divorces for adultery have become much less frequent and since 1949 have been less than those for desertion in each year except 1958 when divorces for adultery were again slightly greater in number.

In Table 2B, the figures shown in Table 2A for divorces absolute are dissected according to sex of petitioner.

TABLE 2B. DIVORCES ABSOLUTE GRANTED CLASSIFIED BY SEX OF PETITIONER AND GROUNDS.

Grounds for Divorce	Year							
	1951	1952	1953	1954	1955	1956	1957	1958
DIVORCES ON PETITION OF HUSBANDS								
Adultery	119	125	145	129	138	140	121	126
Desertion	143	116	113	124	115	117	101	87
Habitual Cruelty	3	6	4	5	7	5	6	5
Insanity	3	1	3	3	4	-	2	-
Drunkenness	-	1	1	1	-	1	-	-
Failure to Maintain	-	-	-	-	-	-	-	-
Other	-	-	-	2	3	1	3	2
Total	268	249	266	264	267	264	233	220
DIVORCES ON PETITION OF WIVES								
Adultery	115	105	95	87	100	68	69	77
Desertion	168	136	151	124	136	122	105	97
Habitual Cruelty	71	80	103	108	106	98	105	77
Insanity	3	-	-	1	-	-	-	1
Drunkenness	9	7	9	5	9	10	9	4
Failure to Maintain	2	4	3	3	6	3	2	1
Other	1	-	1	2	-	2	5	6
Total	369	232	362	330	357	303	296	263

During the years 1945 and 1946 (the first for which details of the sex of petitioners are available), the majority of divorces absolute granted were on the petition of husbands. In each subsequent year, however, there were more divorces granted on the petition of wives, and the proportion in 1958 (54.4% of the total) is fairly representative of figures for the last eleven years.

Divorces on the petition of wives are now granted in almost equal numbers on the grounds of desertion, adultery and habitual cruelty, but few orders on this latter ground are granted to males. In recent years about 96% of all divorces on the petition of husbands have been for adultery or desertion.

Table 3 shows the ages at time of marriage of husbands and wives divorced during 1958.

TABLE 3. DIVORCES ABSOLUTE CLASSIFIED BY AGE AT MARRIAGE, 1958.

Age of Husband	1958								
	Age of Wife								Total
	Under 20	20-24	25-29	30-34	35-39	40-44	45 & over	Not Stated	
Under 20	8	11	-	-	-	-	-	-	19
20 - 24	89	109	17	-	-	-	-	-	215
25 - 29	35	64	30	10	4	1	-	-	144
30 - 34	6	15	13	5	-	1	-	-	40
35 - 39	2	8	5	6	7	3	2	-	33
40 - 44	-	3	1	1	4	1	-	-	10
45 & Over	1	-	-	-	2	1	3	-	7
Not stated	-	-	-	-	-	-	-	15	15
Total 1958	141	210	66	22	17	7	5	15	483

In recent years, only about 22% of all brides married before reaching 20 years of age. However, 141, or 30% of the 468 wives divorced in 1958 (whose ages at marriage are known) were under 20 years of age when married.

In Table 4, details are shown of the duration and issue (living children under 16 years) of marriages in respect of which divorces absolute were granted in the year 1958, and totals for years 1955 to 1957.

TABLE 4. DIVORCES ABSOLUTE CLASSIFIED BY DURATION OF MARRIAGE AND ISSUE

Duration of Marriage (years)	1958								1957	1956	1955
	Living Children under 16 years								Total	Total	Total
	0	1	2	3	4	5	6 & over	Total			
0 - 4	26	10	1	2	-	-	-	39	59	62	65
5 - 9	56	57	21	12	2	2	-	150	179	203	210
10 - 14	36	38	35	25	8	-	-	142	125	130	147
15 - 19	13	15	19	15	12	1	3	78	79	85	90
20 - 24	9	17	9	3	3	-	-	41	42	45	52
25 - 29	8	5	2	-	-	1	-	16	23	21	32
30 - 34	10	-	-	-	-	-	-	10	16	13	17
35 - 39	5	-	-	-	-	-	-	5	3	3	5
40 - 44	1	-	-	-	-	-	-	1	2	4	3
45 and over	1	-	-	-	-	-	-	1	1	1	3
Total 1958	165	142	87	57	25	4	3	483	..	..	..
1957	197	146	106	53	20	5	2	..	529	..	..
1956	222	159	132	36	12	6	-	..	..	567	..
1955	245	190	121	44	14	4	6	..	..	..	624

In each of the four years for which details are shown in the above table, more of the divorces granted were in the 5 to 9 year duration group than in any of the other quinquennial groups. This appears to indicate that the probability of divorce rises gradually during the first few years of marriage, and reaches a peak when the marriage has lasted between four and ten years, and thereafter declines gradually.

From 1955 to 1958, the total annual number of divorces absolute granted, fell from 624 to 483, during which periods there was a considerable decrease in divorces of couples with less than three children under the age of 16 years. On the other hand, divorces among couples with three or more children increased substantially. Thus in 1958, 18.4% of divorces absolute were in respect of marriages with issue of three or more, compared with a corresponding proportion for 1956 of only 9.5%.

Table 5 sets out the ages at time of divorce of husbands and wives divorced in the years 1955 to 1958, with a cross-classification for 1958.

TABLE 5. DIVORCES CLASSIFIED BY AGE AT TIME OF DIVORCE

Age of Husband	1958								1957	1956	1955
	Age of Wife								Total	Total	Total
	Under 25	25-29	30-34	35-39	40-44	45 & over	Not Stated	Total	Total	Total	Total
Under 25	4	-	-	-	-	-	-	4	10	12	18
25 - 29	21	36	4	-	1	-	-	62	70	101	92
30 - 34	8	41	44	15	-	-	-	108	138	130	129
35 - 39	-	15	43	29	9	3	-	99	93	97	106
40 - 44	1	5	16	38	19	8	-	87	86	79	107
45 and over	-	4	4	13	25	62	-	108	129	144	164
Not Stated	-	-	-	-	-	-	15	15	3	4	8
Total 1958	34	101	111	95	54	73	15	483	..	..	..
1957	46	110	127	78	73	92	3	..	529	..	..
1956	48	140	105	96	76	98	4	..	..	567	..
1955	64	119	131	101	98	103	8	..	..	..	624

In each of the last four years, divorces for husbands reached a peak in the 30 - 34 year age group. This is generally as might be expected from information obtained from Table 3 (that approximately 77% of males divorced in 1958 were aged from 20 to 29 at time of marriage) and from Table 4 (that divorces are at a maximum after 5 to 9 years of marriage).

Similarly the predominance of divorces for females in the 25 - 29 and 30 - 34 age groups can be reconciled with the most common age group at time of marriage of divorced females (20 to 24 years), and the relatively high proportion of divorces after 5 to 9 years of marriage.

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17th April, 1959.